

MESSAGE NO: 9355201 MESSAGE DATE: 12/21/1999

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-588-029

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 06/01/1980 TO 05/31/1985

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR FISHNETTING FROM JAPAN MANUFACTURED
& EXPORTED BY ARAI GOMAI K.K. (A-588-029-004)

MESSAGE NO: 9355201

DATE: 12 21 1999

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 588 - 029

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PERIOD COVERED: 06 01 1980 TO 05 31 1985

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: LIQUIDATION INSTRUCTIONS FOR FISHNETTING FROM JAPAN
MANUFACTURED & EXPORTED BY ARAI GOMAI K.K. (A-588-029-004)

THIS E-MAIL MESSAGE IS NOT TO BE DISCLOSED TO THE PUBLIC.

1. THE FOLLOWING INSTRUCTIONS ARE BEING PROVIDED TO ENSURE THAT
THE RECORD IN THIS CASE IS CLEAR REGARDING THE DISPOSITION
OF SUBJECT MERCHANDISE FROM ARAI GOMAI K. K., (A-588-029-004) AND
THE PERIOD 06/01/1980 THROUGH 05/31/1985 NOTED BELOW.

2. FOR ALL SHIPMENTS OF FISHNETTING FROM JAPAN MANUFACTURED AND
EXPORTED BY ARAI GOMAI K. K., (A-588-029-004), ENTERED OR

WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 06/01/1980 THROUGH 05/31/1985, ASSESS ANTIDUMPING DUTIES AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT AT THE TIME OF ENTRY, SINCE NO REVIEW WAS REQUESTED FOR THIS MANUFACTURER DURING THIS PERIOD.

3. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIOD LISTED ABOVE.

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAYS INTEREST ON OVERPAYMENTS AND ASSESS INTEREST ON UNDER PAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AN ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY FINDING, 06/09/1972. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

5. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2). THE IMPORTER SHOULD PROVIDE

THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF

THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT SHEILA FORBES OR JACK DULBERGER AT 202-482-4697 AND 202-482-5505, RESPECTIVELY, AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

7. THIS E-MAIL MESSAGE IS NOT TO BE DISCLOSED TO THE PUBLIC.

PAUL SCHWARTZ

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party